



2643

PATENT
Attorney Docket No.: HELLO-08601

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Peter O. Schmidt et al.

Serial No.: 09/801,442

Filed: March 7, 2001

For: **AN ELECTRONIC DEVICE
UTILIZING AN EARPLUG
SUPPORT ELEMENT AND
METHOD FOR PROVIDING THE
SAME**

Group Art Unit: 2643

Examiner: Tran, S.

TRANSMITTAL LETTER

162 N. Wolfe Road
Sunnyvale, CA 94086
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed please find a Supplemental Information Disclosure Statement, a Certification pursuant to 37 C.F.R. § 1.97(e) for the Information Disclosure Statement, and Form PTO-1449, including copies of the references contained thereon, for filing in the U.S. Patent and Trademark Office.

The Commissioner is authorized to charge any additional fee or credit any overpayment to our Deposit Account No. 08-1275. **An originally executed duplicate of this transmittal is enclosed for this purpose.**

Respectfully submitted,
HAVERSTOCK & OWENS LLP

Dated: 9-26-03

By: Thomas B. Haverstock
Thomas B. Haverstock
Reg. No.: 32,571

Attorneys for Applicants

CERTIFICATE OF MAILING (37 CFR § 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the:
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HAVERSTOCK & OWENS LLP
Date: 9-26-03 By: John D. Ransom



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SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT

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Sir:

The citations listed below, copies attached, may be material to the examination of the above-identified application, and are, therefore submitted in compliance with the duty of disclosure defined in 37 C.F.R. 1.56 and 1.97.

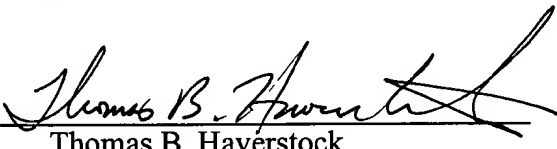
Applicant has become aware of the following printed publications which may be material to the examination of the instant application. The Examiner is requested to make these citations of official record in this application.

- U.S. Patent No. 3,383,963;
- U.S. Patent No. 4,045,108;
- U.S. Patent No. 5,465,421;
- U.S. Patent No. 6,071,142; and
- U.S. Patent No. 6,095,846.

This Supplemental Information Disclosure Statement under 37 CFR 1.56 and 1.97 is not to be construed as a representation that a search has been made, that additional information material to the examination does not exist, or that any one or more of these citations constitutes prior art.

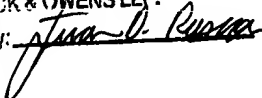
Respectfully submitted,
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) **CERTIFICATION FOR**
) **SUPPLEMENTAL INFORMATION**
) **DISCLOSURE STATEMENT UNDER 37**
) **CFR § 1.97(e)**

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Sir:

This certification is being made for the Supplemental Information Disclosure Statement accompanying this certification.

Certification

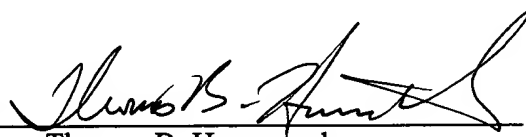
I hereby certify that the attached five (5) references contained in this information disclosure statement were cited within an International Preliminary Examination Report (IPER) mailed on August 25, 2003. **Accordingly, the references contained in the information disclosure statement were cited in a communication from a foreign patent office in a counterpart application not more than three months prior to the filing of the statement. 37 C.F.R. 1.97(e)(1).**

Identification of Person Making Certification

The person making this certification is the attorney who signs below on the basis of the information in the attorney's file.

Respectfully submitted,
HAVERSTOCK & OWENS LLP

Dated: 9-26-03

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Thomas B. Haverstock
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HAVERSTOCK & OWENS LLP
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